

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
MCALLEN DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

v.

12.559 ACRES OF LAND, MORE OR
LESS, SITUATE IN HIDALGO COUNTY,
STATE OF TEXAS; AND GERARDO
MARTINEZ, ET AL.

Defendants.

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CASE NO. 7:19-CV-405

NOTICE OF SETTLEMENT

Pursuant to Local Rule 16.3, Plaintiff, the United States of America, hereby notifies the Court that it has reached settlement terms with Defendant Gerardo Martinez regarding the amount of just compensation to be paid by the United States for its taking of Tract RGV-WSL-8002. The other remaining defendant, Marvin Fuller, has informed undersigned counsel that he intends to execute a disclaimer.¹ Upon receiving Mr. Fuller's disclaimer and the Court dismissing him from the case, the United States will file a Notice of Amended Schedule "G" which accurately reflects that Gerardo Martinez is the sole-remaining defendant in this matter. Plaintiff and Defendant Gerardo Martinez will then file a "Joint Motion for Order Establishing Just Compensation, Granting Possession, and Distributing Funds on Deposit in the Registry of the Court for Tract RGV-WSL-8002."

¹ Shortly before Christmas, Marvin Fuller contacted undersigned counsel over the phone wherein he requested that the United States Attorney's Office mail him a form so that he could disclaim any interest he had in this matter. Mr. Fuller informed counsel that he would be unavailable to sign the form over the Christmas holiday, but that he would execute the disclaimer upon his return. At the time of the filing of this Notice of Settlement, the disclaimer has not been received. The United States expects to be able to file the Notice of Corrected Schedule "G" and the Joint Motion Establishing Just Compensation well in advance of the Initial Pretrial Conference.

Respectfully submitted,

RYAN K. PATRICK
United States Attorney
Southern District of Texas

By: *s/ N. Joseph Unruh*
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CERTIFICATE OF SERVICE

I, N. Joseph Unruh, Assistant United States Attorney for the Southern District of Texas, do hereby certify that on this 6th day of January, 2020, a copy of the foregoing was served on the following parties in accordance with the Federal Rules of Civil Procedure.

Roy B. Brandys
Barron, Adler, Clough & Oddo, LLP
808 Nueces Street
Austin, TX 78701

Marvin Fuller
1420 Lion Lake Drive
Weslaco, TX 78596

By: *s/ N. Joseph Unruh*
N. JOSEPH UNRUH
Assistant United States Attorney